

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Defendant.

§ § § § §

COMPLAINT

Plaintiff Social Positioning Input Systems, LLC (“Plaintiff” or “SPIS”) files this Complaint against Sieva Networks, Inc. d/b/a Matrack (“Defendant” or “Matrack”) for infringement of United States Patent No. 9,261,365 (hereinafter “the ‘365 Patent”).

PARTIES AND JURISDICTION

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with an address of 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.

4. On information and belief, Defendant is a Delaware corporation with its principal office located at 2481 Deerwood Dr, Suite 108, San Ramon, CA 94583. On information and belief, Defendant may be served through its agent, Vijay Pillai, at the same address, or at 128 Shadowhill Circle, San Ramon, CA 94583.

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this District. Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

COUNT I

(INFRINGEMENT OF UNITED STATES PATENT NO. 9,261,365)

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

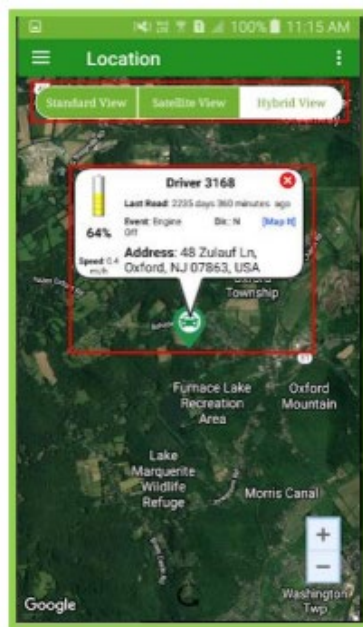
10. Plaintiff is the owner by assignment of the '365 Patent with sole rights to enforce the '365 Patent and sue infringers.

11. A copy of the ‘365 Patent, titled “Device, System and Method for Remotely Entering, Storing and Sharing Addresses for a Positional Information Device,” is attached hereto as Exhibit A.

12. The '365 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claim 1, of the '365 Patent by making, using (at least by having its employees, or someone under Defendant's control, test the accused Product), importing, selling, and/or offering for sale associated hardware and software for asset locating services (e.g., Matrack asset tracking platform, and any associated hardware, apps, or other software) ("Product") covered by at least Claim 1 of the '365 Patent. Defendant has infringed and continues to infringe the '365 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

14. The Product provides an asset tracking system for real-time GPS tracking of assets. A user can receive location information on a positional information device (e.g., mobile device or computer). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



Source: https://play.google.com/store/apps/details?id=com.matrackinc.matrackgps&hl=en_US
 Source: <https://www.matrackinc.com/gps-vehicle-tracker/>

Our fleet tracking software and systems give you the visibility you need to track and manage your fleet efficiently while streamlining your operations, reducing costs, and increasing revenue.

MATRACK GPS FLEET TRACKING

What Matters Most

- See Location In Real Time
- Access Drive & Operator Behavior
- Tracking Electronic Driver Logs
- Know when Asset Leave Designated Area
- Track Maintenance Needs

Source: <https://www.matrackinc.com/gps-vehicle-tracker/>

Source: <https://matrackinc.com/fleet-tracking/>



REALTIME TRACKING

Stay connected with your vehicle/asset through Real time Tracking

- Customized tracking subscriptions
- Unlimited tracking
- Various alerts like Tow Alert, Ignition On /Off, Low battery alert, Speed alert etc
- All new 4G connectivity
- Easy recovery in case of theft

Source: <https://www.matrackinc.com/gps-vehicle-tracker/>

15. The Product software sends a request from a first (requesting) positional information device (e.g., mobile device or desktop with software installed) to a server. The request is for the real-time location (e.g., stored address) of an asset, and includes a first identifier of the requesting positional information device (e.g., user ID and password for the Product software used in the particular enterprise). The request is sent to the Product server for transmitting the asset location. The server receives the at least one address from a second (sending) positional information device at the asset. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Your login details will be mailed to you. Using the account login and password, log on to your account. Once the blue status LED is blinking once every three seconds, the device will shortly start transmitting information to the host server (it transmits once every minute when vehicle is running and every 2 hours when not running) and you can see all the logged information.

Source: <https://www.matrackinc.com/wp-content/uploads/2019/09/Quickstartguide-OBd-1.pdf>

GPS Tracking Data

GPS tracking data (reports sent in from GPS tracking devices) is stored on our main server and a backup server for 1 year. Data older than 1 year cannot be restored. An active The Company account is required to access GPS data. Upon termination of service, GPS data will be erased from the main server and the backup server and cannot be restored.

Source: <https://matrackinc.com/terms-and-conditions/>



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REAL-TIME GPS TRACKING



Live vehicle location tracking
Trip Histories
Geofence alert

Source: <https://www.matrackinc.com/gps-vehicle-tracker/>

Source: <https://matrackinc.com/fleet-tracking/>

16. The at least one address is received from the server at the requesting positional information device. For example the Product's server transmits the position of an asset (at least one address) to the requesting positional information device. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

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Source: <https://www.matrackinc.com/wp-content/uploads/2019/09/Quickstartguide-OBD-1.pdf>

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Source: <https://www.matrackinc.com/gps-vehicle-tracker/>

Source: <https://matrackinc.com/fleet-tracking/>

17. A second identifier for the second (sending) positional information device is determined based on the first identifier and the server retrieves the at least one address stored in the at least one sending positional information device. The Product application installed on the requesting positional information device requests

(from the server) the asset's GPS location (i.e., at least one stored address stored). As shown above, before activating the tracker (i.e., the sending positional information device), a unique tracking device's ID number or credentials (i.e., second identifier) needs to be added to the user's account identified by the user login ID and password (i.e., the first identifier). Hence, the tracker device's ID number or asset credentials (i.e., second identifier) is mapped to the user's login ID (i.e., the first identifier) for tracking the real-time location (i.e., at least one stored address stored) of the asset. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



Source: <https://matrackinc.com/fleet-tracking/>

Device Type:

Device : OBD

IMEI or MEID #1

Source: <https://matrackinc.com/reseller/client/activation/>

Our fleet tracking software and systems give you the visibility you need to track and manage your fleet efficiently while streamlining your operations, reducing costs, and increasing revenue.

MATRACK GPS FLEET TRACKING

What Matters Most

- See Location In Real Time
- Access Drive & Operator Behavior
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- Track Maintenance Needs

Source: <https://www.matrackinc.com/gps-vehicle-tracker/>

Source: <https://matrackinc.com/fleet-tracking/>



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Source: <https://www.matrackinc.com/gps-vehicle-tracker/>



LOGIN

Username

Password

☐ Remember password

[Forgot Password?](#)

Log in

MA-OBD Classic Plug-in



Data Network: 4G LTE Cat M1

Source: https://www.matrack.io/gpstracking/client_login.php?r=3552

Source: <https://www.matrackinc.com/gps-vehicle-tracker/>

18. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

1 19. Defendant's actions complained of herein are causing irreparable harm
 2 and monetary damage to Plaintiff and will continue to do so unless and until
 3 Defendant is enjoined and restrained by this Court.

4 20. Plaintiff is in compliance with 35 U.S.C. § 287.

5 **DEMAND FOR JURY TRIAL**

6 21. Rothschild Broadcast Distribution Systems, under Rule 38 of the Federal
 7 Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff asks the Court to:

10 (a) Enter judgment for Plaintiff on this Complaint on all causes of action
 11 asserted herein;

12 (b) Enter an Order enjoining Defendant, its agents, officers, servants,
 13 employees, attorneys, and all persons in active concert or participation with Defendant
 14 who receive notice of the order from further infringement of United States Patent No.
 15 9,261,365 (or, in the alternative, awarding Plaintiff a running royalty from the time of
 16 judgment going forward);

17 (c) Award Plaintiff damages resulting from Defendant's infringement in
 18 accordance with 35 U.S.C. § 284;

19 (d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

20 (e) Award Plaintiff such further relief to which the Court finds Plaintiff
 21 entitled under law or equity.

22 Dated: September 27, 2021

Respectfully submitted,

23 /s/ Stephen M. Lobbin

24 ***Attorney(s) for Plaintiff Social Positioning***
 25 ***Input Systems, LLC***